

EXHIBIT 14



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April 14, 2023

James C. Yoon
Wilson Sonsini Goodrich & Rosati P.C.
650 Page Mill Road
Palo Alto, CA 94304-1050

Re: *Gatekeeper Systems, Inc. v. Rocateq USA, LLC et al.*, Case No. 8:22-cv-2092-FWS-KES

Dear James:

I write concerning deficiencies in Rocateq USA, LLC and Rocateq International B.V.'s (collectively, "Rocateq") responses to Gatekeeper System Inc.'s ("Gatekeeper") discovery requests. Rocateq's failure to provide fulsome discovery responses prejudices Gatekeeper's ability to pursue its claims. Rocateq's deficiencies must be promptly remedied.

As an initial matter, Rocateq's Interrogatory and RFP responses include the following improper objections:

- **Objections Based on a Hypothetical Future Stay.** Rocateq objects to all of Gatekeeper's discovery requests on the grounds that Rocateq *intends* to seek a stay of the District Court action. That is improper. There is no stay currently in place. To the contrary: despite Rocateq's request that the Court not institute a discovery schedule due to Rocateq's "anticipated motion to stay," the Court entered a scheduling order with discovery deadlines. D.I. 30. Thus, Rocateq's discovery obligations are ongoing, and Rocateq must provide fulsome responses to Gatekeeper's discovery requests and produce responsive documents. Moreover, while Rocateq assumes that the Court will use its "discretionary power" to grant Rocateq's hypothetical future motion to stay the case, Rocateq does not and cannot provide any basis for this speculation. In any event, under this District's local rules, any such motion will not be fully briefed, let alone decided, until at least four weeks from now. *See* C.D. Cal. L.R. 6-1. Rocateq cannot put off its discovery obligations for nearly a month based only on the possibility that the Court will grant its motion.
- **Objections Based on Protective Order.** Rocateq refuses to produce documents before "the entry of an appropriate protective order in this case." That is improper. On March 31, 2023, Gatekeeper sent Rocateq a draft protective order and offered to discuss it the following week, but Rocateq failed to respond. Gatekeeper then followed up on April 10 and asked Rocateq to send comments on the draft, but Rocateq ignored Gatekeeper's



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request. Finally, Gatekeeper followed up again on April 11, but Rocateq *still* failed to respond. Simply put, there is no protective order in this case because Rocateq has refused to help draft one. Rocateq cannot now avoid its discovery obligations due to this problem of its own making.

Please confirm that Rocateq will promptly withdraw these improper objections and supplement its discovery responses and productions accordingly.

Rocateq's Interrogatory Responses

As an initial matter, Rocateq has committed only to producing documents under Rule 33(d), and it has limited the scope of its productions based on the improper objections discussed above. Further, with respect to Interrogatories Nos. 1-2, 5, 7-9, and 11, Rocateq has neither provided fulsome narrative responses nor promised to produce documents that cover the full scope of the requested information. However, Rocateq has stated that it is willing to meet and confer to discuss these Interrogatories. Please provide your availability on April 18, 2023 for a meet and confer to discuss these Interrogatories.

Rocateq's RFP Responses

Rocateq's responses to the following Gatekeeper RFPs are deficient:

- **RFP Nos. 8-9:** RFP Nos. 8-9 require Rocateq to produce "each version/revision of source code" used in the Check Out Security System (on or after November 17, 2016) and Cart Security System (on or after December 19, 2017). Rocateq has promised to produce only "documents sufficient to identify source code used in the accused products in the United States," not the actual source code used in these systems. This information is directly relevant to Gatekeeper's infringement allegations. Please confirm that Rocateq will produce the actual source code used in the Rocateq Check Out Security System and Cart Security System.
- **RFP No. 10:** RFP No. 10 requires Rocateq to produce "[d]ocuments sufficient to identify every Rocateq Related Service." Rocateq objects to this request, arguing that the term "Rocateq Related Services" is overbroad, and says it will produce only "documents reflecting technical product information sufficient to identify the components in the accused products in the United States." But the Rocateq Related Services are directly relevant to Gatekeeper's damages as well as Gatekeeper's allegations of induced infringement. Please confirm that Rocateq



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will withdraw its objection and produce documents that are fully responsive to RFP No. 10.

- **RPF No. 28:** RFP No. 28 requires Rocateq to produce “[o]rganizational charts sufficient to show the names, positions, titles, duties, and reporting relationships of all officers, employees, and other personnel involved in the design, development, operation, manufacture, testing, marketing, or sale of the Accused Products.” Rocateq has promised to produce documents showing “employment information for individuals involved in the technical design and development, marketing, and sales of the accused products,” but not for individuals involved in the operation, manufacture, or testing of the Accused Products. This information is directly relevant to Gatekeeper’s infringement allegations. Please confirm that Rocateq will produce documents responsive to the full scope of RFP No. 28.

Additionally, Rocateq has not committed to produce the full scope of the requested documents or things requested in RFP Nos. 11, 13-19, 23, 25, 27-28, 30, and 32. However, Rocateq has stated that it is willing to meet and confer to discuss these RFPs. Please provide your availability on April 18, 2023 for a meet and confer to discuss these RFPs.

Please confirm by close of business on April 17, 2023 that Rocateq will supplement its discovery responses and productions as discussed above. If Rocateq is unwilling to provide this confirmation, please provide your availability for a meet and confer on April 18, 2023.

Sincerely,


Judah Bellin